

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

WALTER W. WALLACE, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 4:15-CV-1560-NCC
)	
ST. LOUIS COUNTY JUSTICE)	
CENTER, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion for appointment of counsel and for additional time to comply with the Court's Order of October 20, 2015, instructing him to file an amended complaint on a Court form. [Docs. #5 and #6]. For the following reasons, the motion will be granted in part and denied in part.

"A pro se litigant has no statutory or constitutional right to have counsel appointed in a civil case." *Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998). When determining whether to appoint counsel for an indigent litigant, the Court considers relevant factors, such as the complexity of the case, the ability of the pro se litigant to investigate the facts, the existence of conflicting testimony, and the ability of the pro se litigant to present his or her claim. *Id.*

After reviewing these factors, the Court finds that the appointment of counsel is not warranted at this time. This case is neither factually nor legally complex, and it appears that plaintiff will be able to present his claims against defendants.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for appointment of counsel and for additional time to comply with the Court's Order of October 20, 2015, instructing him to file an amended complaint on a Court form [Doc. #5] is **GRANTED IN PART AND DENIED IN PART**. Plaintiff is **granted** up to and including **December 23, 2015** in which to comply with the Order of October 20, 2015. Plaintiff's request for appointment of counsel is **denied, without prejudice**.

Dated this 16th day of November, 2015.

/s/ Noelle C. Collins
UNITED STATES MAGISTRATE JUDGE